REMARKS

4. Enclosed is a copy of Chun et al. Applicant is trying to locate an English version of DE 197 22 888.

5. Applicant's file is presently missing a copy of the Search Report. However a request has been made, and once received, the IDS will be compared to it to ensure that all references cited in the Search Report are also cited in the IDS.

6. A "Brief Description of the Drawings" has been provided.

7. Claim 12 has been amended, rendering the objection moot.

8-9. Claims 12 has been amended, rendering the rejection of it. Claim 15 has been amended by deleting the phrase "the drug component d) is provided in a conclusive manner," and adding component d) as dependent claim 20.

10-12. The term "analogues" has been canceled from the claim, rendering the rejection moot. This amendment does not change the scope of equivalents as it relates to antibodies since equivalents are assessed on a limitation-by-limitation basis (e.g., *Allen Engineering Corp. v. Bartell Industries*, 63 USPQ2d 1769, Fed. Cir. 2002), and "analogues" are an independent limitation.

13-14. Chang et al. do not disclose administering ""monoclonal antibodies which are specific for CD28." Consequently, the cited reference does not disclose all element of the claim, and therefore can not anticipate it.

15-17. June et al. do not describe monoclonal antibodies which are specific for CD28 and which are capable of activity T lymphocytes without occupying an antigen receptor of the T lymphocytes. For example, on Column 2, lines 9-27 of June et al. it is stated:

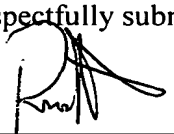
> According to the method of the invention, a population of T cells is induced to proliferate by activating the T cells and stimulating an accessory molecule on the surface of the T cells with a ligand which binds the accessory molecule. Activation of a population of T cells is accomplished by contacting the T cells with a first agent which stimulates a TCR/CD3 complex-associated signal in the T cells. Stimulation of the TCR/CD3 complex-associated signal in a T cell is accomplished either by ligation of the T cell receptor (TCR)/CD3 complex or the CD2 surface protein, or by directly stimulating receptor-coupled signaling pathways. Thus, an anti-CD3 antibody, an anti-CD2 antibody, or a protein kinase C activator in conjunction with a calcium ionophore is used to activate a population of T cells.
>
> To induce proliferation, an activated population of T cells is contacted with a second agent which stimulates an accessory molecule on the surface of the T cells. For example, a population of CD4.sup.+ T cells can be stimulated to proliferate with an anti-CD28 antibody directed to the CD28 molecule on the surface of the T cells.

Thus, according to June et al., stimulation of CD3 and CD28 is necessary. The combination with Hennge et al. does not complement this deficiency since the latter disclosure is restricted to HAART.

In view of the above remarks, favorable reconsideration is courteously requested. If there are any remaining issues which could be expedited by a telephone conference, the Examiner is courteously invited to telephone counsel at the number indicated below.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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